

**CENTRAL PUGET SOUND  
GROWTH MANAGEMENT HEARINGS BOARD  
STATE OF WASHINGTON**

**SKY VALLEY, ET AL.,**

**Petitioner  
s,**

**v.**

**SNOHOMISH COUNTY,**

Respondent,

and

**ASSOCIATION OF RURAL  
LANDOWNERS, SNOHOMISH  
COUNTY  
ASSOCIATION OF REALTORS and  
SNOHOMISH COUNTY FIRE  
PROTECTION DISTRICT NO.7,**

Intervenors.

Consolidated  
Case No. 95-3-0068c

ORDER OF REMAND

**I. PROCEDURAL BACKGROUND**

On January 30, 1998, the Central Puget Sound Growth Management Hearings Board (the Board) entered a "Notice of Conference Regarding Order of Remand" in the above-captioned case that scheduled a conference for February 19, 1998 to consider the Snohomish County Superior Court's remand to the Board in this case. In its Order, the Board also noted that it had received a Motion for Status as Intervenor on February 18, 1998 from Dwayne Lane, and stated that it would provide an opportunity for responses to that motion at the conference.

On February 19, 1998, in response to a request from the parties, the Board canceled the conference and directed the parties to notify the Board promptly of the results of their negotiations to develop a stipulated agreement on remand.

On March 4, 1998, the Board received a "Stipulation and Order for Remand to Snohomish County and to Continue Case Before the Hearings Board" (the Stipulation). signed by representatives of Respondent Snohomish County; Petitioners Agriculture for Tomorrow, Concerned Citizens for Sky Valley, and 1,000 Friends of Snohomish County; the City of Everett; the Port of Everett; and the City of Arlington. The Stipulation requested that the Board immediately remand the matter to Snohomish County for its

2 action in accordance with the order entered by Snohomish County Superior Court Judge  
3 James H. Allendoerfer on November 19, 1997 (the Court Order), and that it set a date  
4 for the filing of a statement of compliance with the Board.  
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6 **II. ORDER**

7 Having reviewed and considered the Court Order and the Stipulation and proposed Board  
8 Order prepared by the parties, the Board ORDERS:

9 1. This matter is remanded to Snohomish County on the following issues: the designation  
10 under the Growth Management Act (GMA) of Smith Island, Spencer Island and  
II Island Crossing and any landowner requests for deletion therefrom which were the  
subject of the Court Order. The purpose of the remand is to conduct proceedings in  
accordance with the aforementioned Court Order. The County's proceedings shall  
12 include public hearings on the GMA designation of these three areas.

13 2. The County shall comply with this Order no later than September 2, 1998, and shall  
14 file with the Board, with service to the parties, a Statement of Actions Taken to  
15 Comply with the Board's Order of Remand not later than September 14, 1998. The  
Statement of Actions shall include a copy of any legislative action taken in response to  
16 the Remand Order. Upon receiving the Statement of Actions, the Board will promptly  
issue an order setting a compliance briefing schedule and hearing date.

17 3. Having reviewed the Lane "Motion for Status as Intervenor", and having heard no  
18 objections from the parties, the Board grants intervention to Dwayne Lane.

19 So ORDERED this 6th day of March, 1998.

20 CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

21 Edward G. McGuire, AICP  
Board Member

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23 Joseph W. Tovary, AICP  
Board Member

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25 Chris Smith Towne  
Board Member

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